IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 28TH JUNE 2007 / 7TH ASHADHA 1929

WP(C).No. 19874 of 2007(N)

PETITIONER:

THOMMEN JOSEPH,
NJANDUPARAMBIL HOUSE, S.H.MOUNT POST,
KOTTAYAM-6.

BY ADV. SRI.P.KURUVILLA JACOB.

RESPONDENTS:
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1. **THE COMMERCIAL TAX OFFICER (WC),**
   COMMERCIAL TAXES, KOTTAYAM.

2. **THE DEPUTY TAHSILDAR (R.R.),**
   KOTTAYAM.

3. **THE VILLAGE OFFICER,**
   PERUMBAIKKAD VILLAGE, PERUMBAIKKAD POST,
   KOTTAYAM.

4. **THE SALES TAX OFFICER,**
   OFFICE OF THE DEPUTY COMMISSIONER,
   COMMERCIAL TAXES, KOTTAYAM.

5. **THE EXECUTIVE ENGINEER,**
   MINOR IRRIGATION DIVISION, KOTTAYAM-1.

BY GOVT. PLEADER SRI. C.K. GOVINDAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/06/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.19874 of 2007

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Dated this the 28th day of June, 2007.

JUDGMENT

Petitioner's grievance is that sales tax recovered by awarder namely, 5th respondent is not given credit in petitioner's sales tax assessment which led to Ext.P5 demand. Petitioner has to obtain Form No.21C which is proof of remittance of tax from petitioner's bills. The W.P. is disposed of directing the petitioner to furnish details of remittance of sales tax made by 5th respondent on his behalf before the Sales Tax Officer concerned including particulars of the chalan through which payments are made for the 4th respondent to give credit in petitioner's account and to recover the balance amount. The 5th respondent is directed to verify the accounts based on details furnished by petitioner and issue certificate within three weeks from date of production of copy of this judgment. The petitioner will produce copy of this judgment for compliance. There will be direction to other respondents to withhold recovery proceedings for one month from now and thereafter recovery will be made for the actual amount after adjusting payments if any received in petitioner's account through remittance by the awarder.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms